

Date of Decision: 09.09.2024

...Respondent

2. Learned counsel for the petitioners contends that the petitioners were falsely involved in the present case. The petitioners were arrested in the present case on 17.06.2021 and vide order dated 20.07.2021 (Annexure P-2), the petitioners were granted the concession of regular bail by the Special Court, Fazilka. While referring to various zimni orders (Annexure P-3), learned counsel further submits that the petitioners had been regularly appearing before the trial Court on different dates. However, due to the death of the sister of petitioner No.1 and mother of petitioner No.2 on 12.08.2024, the petitioners

could not appear before the trial Court on 21.08.2024. He further contends that the petitioners are ready to surrender before the trial Court and shall appear on each and every date of hearing during the trial.

- 3. Notice of motion.
- 4. Mr. I.P.S. Sabharwal, DAG, Punjab, accepts notice on behalf of the respondent-State.
- 5. I have heard learned counsel for the parties and perused the record.
- 6. The record shows that on 21.08.2024, the petitioners had not appeared before the trial Court. Consequently, after calling the case several times, the Court had rightly cancelled the bail granted to the present petitioners. Apparently, there is no illegality in the impugned order dated 21.08.2024 (Annexure P-4) passed by the Special Court, Fazilka.
- 7. However, the petitioners had been appearing on all the dates fixed before the trial Court; consequently, taking a lenient view of the matter, the petitioners are directed to surrender before the trial Court/Duty Magistrate within a period of two weeks from today and on their surrender, they shall be admitted to bail subject to furnishing bail bonds and surety bonds to the satisfaction of the concerned Court. The petitioners shall also furnish an affidavit before the concerned Court that they shall appear on each and every date of hearing and shall not remain absent from the trial Court proceedings, without prior permission of the trial Court.
- 8. The present petition is disposed off.

09.09.2024.
hemlata

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No